

DEC 31 2003
OFFICIAL

Attorney Docket No.: 42390.P13766

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Patent Application of:

David Harriman

Serial No.: 10/040,755

Filed: December 28, 2001

For: COMMUNICATING MESSAGE REQUEST
TRANSACTION TYPES BETWEEN AGENTS
IN A COMPUTER SYSTEM USING
MULTIPLE MESSAGE GROUPS

Examiner: Philpott, J. M.

Art Unit: 2665

AMENDMENT AND RESPONSE TO OFFICE ACTIONCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated September 10, 2003, Applicant respectfully requests the Examiner to enter the following amendments and to consider the following remarks.

01/06/2004 MGORDON 00000001 022666 10040755
01 FC:1251 110.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

By:

Anne Collette
Anne Collette

Date: December 31, 2003

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FACSIMILE TRANSMITTAL SHEET

Deliver to: Examiner Justin M. Philpott, Art Unit 2665
Firm Name: U.S. Patent & Trademark Office
Fax Number: 703-872-9314
From: John P. Ward Operator: Anne Collette
Date: December 31, 2003
App. No.: 10/040,755
No. of pages: 8 (including cover sheet)

Client/Matter: 42390.P13766 Docket Date: January 10, 2004

Dear Examiner:

Please find the following document(s) attached:

- 1) Fee Transmittal (1 page)
- 2) Response to Office Action (6 pages)

Thank you.

CONFIDENTIALITY NOTE

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0551-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**110.00****Complete if Known**

| | |
|----------------------|--------------------|
| Application Number | 10/040,755 |
| Filing Date | December 28, 2001 |
| First Named Inventor | David Harriman |
| Examiner Name | Justin M. Philpott |
| Art Unit | 2665 |
| Attorney Docket No. | 42390.P13766 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit Account Number
02-2666Deposit Account Name
Blakely, Sokoloff, Taylor & Zafman LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims | | Extra Claims | | Fee from below | | Fee Paid | |
|--------------------|---|--------------|---|----------------|----|----------|---|
| Independent | 9 | -15** | 0 | X | 18 | = | 0 |
| Multiple Dependent | 3 | -3** | 0 | X | 86 | = | 0 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|--|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 280 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)**0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | 110.00 |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37.CFR 1.17(q) | |
| 1808 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**110.00****SUBMITTED BY**

(Complete if applicable)

| | | | | | |
|-------------------|---|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | John Patrick Ward | Registration No. (Attorney/Agent) | 40,216 | Telephone | 408-720-8300 |
| Signature |  | Date | December 31, 2003 | | |

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SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.